

**Introduced by Senator Machado**

February 11, 2003

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An act to amend Sections 1260, 1262, and 1275 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 165, as amended, Machado. Clinical laboratory personnel: licensure.

Existing law provides for the licensure and regulation of clinical laboratory personnel by the State Department of Health Services. Under existing law, an applicant for a clinical bioanalyst license is required to hold a degree in a biological science and successfully pass an examination conducted by the department. Existing law also requires that an applicant for a limited chemical laboratory scientist's license successfully complete an examination.

This bill would authorize the department to issue a temporary limited clinical laboratory scientist's license to an individual who has not taken the licensure examination but who has satisfied other licensing requirements. The bill would also revise the requirement for a clinical bioanalyst licensure to designate particular sciences acceptable in satisfaction of the degree criterion. The bill would authorize the department to waive the examination for an applicant who has successfully completed ~~comparable examinations of a national accrediting board~~ *an examination of a national accrediting board that, in the determination of the department, has requirements equal to or greater than those required under state law*. The bill would additionally

revise the continuing education requirements that must be completed prior to clinical laboratory personnel licensure renewal.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1260 of the Business and Professions  
2 Code is amended to read:  
3 1260. The department shall issue a clinical laboratory  
4 bioanalyst's license to each person who is a lawful holder of a  
5 degree of master of arts, master of science, or an equivalent or  
6 higher degree as determined by the department with a major in  
7 chemical, physical, biological, or clinical laboratory sciences.  
8 This education shall have been obtained in one or more established  
9 and reputable institutions maintaining standards equivalent, as  
10 determined by the department, to those institutions accredited by  
11 the Western Association of Schools and Colleges or an essentially  
12 equivalent accrediting agency, as determined by the department.  
13 The applicant also shall have a minimum of four years' experience  
14 as a licensed clinical laboratory scientist, performing clinical  
15 laboratory work embracing the various fields of clinical laboratory  
16 activity in a clinical laboratory approved by the department. The  
17 quality and variety of this experience shall be satisfactory to the  
18 department and shall have been obtained within the six-year period  
19 immediately antecedent to admission to the examination. The  
20 applicant shall successfully pass a written examination and an oral  
21 examination conducted by the department or a committee  
22 designated by the department to conduct the examinations,  
23 indicating that the applicant is properly qualified. The department  
24 may issue a license without ~~either of these examinations to an~~  
25 ~~applicant who has passed an~~ *conducting a written examination to*  
26 *an applicant who has passed a written examination* of a national  
27 accrediting board having requirements that are, *in the*  
28 *determination of the department*, equal to or greater than those  
29 required by this chapter and regulations adopted by the  
30 department. The department shall establish by regulation the  
31 required courses to be included in the college or university  
32 training.

1 SEC. 2. Section 1262 of the Business and Professions Code  
2 is amended to read:

3 1262. No clinical laboratory scientist's or limited clinical  
4 laboratory scientist's license shall be issued by the department  
5 except after examination; provided, that a temporary clinical  
6 laboratory scientist's license or a temporary limited clinical  
7 laboratory scientist's license may be issued to an individual who  
8 fulfills the requirements for admission to the examination unless  
9 the individual has failed a previous examination for the license.

10 The department may issue licenses without examination to  
11 applicants who have passed examinations of the national  
12 accrediting boards whose requirements are equal to or greater than  
13 those required by this chapter and regulations established by the  
14 department. The department may issue licenses without further  
15 examination to applicants who have passed examinations of  
16 another state whose laws and regulations are equal to or greater  
17 than those required by this chapter and regulations established by  
18 the department. The evaluation of national or state accrediting  
19 boards for the purposes of this chapter shall be carried out by the  
20 department with assistance of representatives from the licensed  
21 groups. This section shall not apply to persons who have passed an  
22 examination by a national board or another state examination prior  
23 to the establishment of requirements that are equal to or exceed  
24 those of this chapter or the regulations of the department. The  
25 department may, however, make exceptions if individuals are  
26 otherwise qualified.

27 SEC. 3. Section 1275 of the Business and Professions Code  
28 is amended to read:

29 1275. The department shall develop and implement  
30 regulations for continuing education for persons licensed pursuant  
31 to this chapter on or before January 1, 1992, after consulting with  
32 the multidisciplinary committee established pursuant to Section  
33 1228, and other appropriate organizations. On and after January 1,  
34 1994, the department shall require not more than 12 hours of  
35 continuing education completed within a 12-month period or not  
36 more than 24 hours of continuing education completed within a  
37 24-month period as a condition for renewal of a license issued  
38 under this chapter. The department may establish a fee for the  
39 implementation of this section, the total fees collected not to

- 1 exceed the total costs to the program for the implementation of this
- 2 requirement.

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